

UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte ROBERT LAM, WAI MON MA,  
VINCENT L. MONTALBANO, ARCH NUTTALL and NANDU N.  
RANADIVE

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Application 10/708,066

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on December 1, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

On June 9, 2006, an Order Returning Undocketed Appeal to Examiner was mailed which ordered that the application be returned to the examiner:

- 1) for compliance with MPEP § 1207(A)(8), if appropriate, by adding the Boyer et al. reference to the “Evidence Relied Upon” section in a revised Examiner’s Answer;
- 2) for having the Appeal Brief fee charged to Deposit Account No. 09-0458 as authorized by the transmittal sheet which accompanied the Appeal Brief filed December 22, 2005; and
- 3) for such further action as may be appropriate.

On June 20, 2006, a revised Examiner’s Answer was mailed which added the Boyer et al. reference to the “Evidence Relied Upon” section. However, it is noted that the Patent and Trademark Office records still reflect that the Appeal Brief fee has still not been charged to Deposit Account No. 09-0458 as authorized by the transmittal sheet accompanying the December 22, 2005 Appeal Brief. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) to have the Appeal Brief fee charged to Deposit Account No. 09-0458 as authorized by the transmittal sheet which accompanied the Appeal Brief filed December 22, 2005; and

2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: G. L. Edgell for Dale Shaw  
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